

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 28744 of 2007(V)

PETITIONER:

**RENCY GEORGE,
RENCY COTTAGE, NANGIARKULANGARA P.O.,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.K.SASIKUMAR

RESPONDENTS:

- 1. THE KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY, PATTOM,
THIRUVANANTHAPURAM.**
- 2. THE DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION, ALAPPUZHA.**
- 3. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT
PERSONNEL & ADMINISTRATIVE REFORMS (RULES)
DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM**

BY ADV. SRI.ALEXANDER THOMAS,SC,KPSC for R1 & R2

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19/11/2007 ALONG WITH WPC NO. 29293 OF 2007, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

V.GIRI,J.

W.P (C) Nos. 28744 & 29293 of 2007

Dated this the 19th November, 2007

J U D G M E N T

Petitioners' in these cases applied for appointment by transfer to the post of L.D Typist pursuant to the notification issued by the Public Service Commission. One of the qualifications prescribed is pass in Computer Word Processing for which separate certificate was necessary, if the candidates concerned had passed K.G.T.E English prior to 2002. The P.S.C. reserved the right to declare an equivalent qualification and in so far as Computer Word Processing is concerned it had by Exhibit-P8 circular in W.P. (C) 29293/2007 declared that the certificate in Computer Word Processing issued by certain Government of India or Government of Kerala Organisations or Universities will be treated as equivalent to the prescribed qualification. According to the petitioners, the course conducted by the Bharath Seva Samaj must be treated as equivalent to the prescribed qualification.

2. According to the petitioners they had studied Computer Word Processing in the course conducted by Bharat Sevak Samaj. This must be therefore, treated as part of the

notified qualification. Learned Standing Counsel for the P.S.C. was directed to get instructions as to whether Bharath Sevak Samaj was a Government of India undertaking. If so, whether the course offered by them can be treated as equivalent to the prescribed qualification. Learned Standing Counsel for the P.S.C., on instruction, submits that Bharat Sevak Samaj is not a Government of India undertaking and the course undertaken by the petitioners was from private agency and it is therefore not in the category of the enumerated institutions in Exhibit-P8.

3. In the circumstances, petitioners cannot claim to be qualified in terms of notification. I do not find any error in the stand taken by the P.S.C. In so far as W.P. (C) 28744/2007 is concerned, there is a further claim. The petitioner contends apart from the certificate issued from the Bharat Sevak Samaj, petitioner has actually passed Computer Word Processing in the Examination held in 2006 and therefore it must be treated as sufficient qualification. It is true that K.G.T.E with Computer Word Processing is part of the prescribed qualification. Unfortunately, the petitioners have acquired the qualification only in September, 2006. The last date for receipt of application

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in terms of the notification is 15.2.2006 and the acquisition of qualification is subsequent to the last date of receipt of the application. It will not improve the case of the petitioners. For all these reasons, I do not find any merit in these writ petitions and the same are therefore, dismissed.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007